

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	Not yet assigned	
Filed:	March 11, 2005	Certificate of Mailing by "Express Mail"  Mailing Label Number EV 31.3911351115
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Applicant:	GRADON et al.	) Jyjany & Setton
Examiner:	Not yet assigned	
Art Unit:	Not yet assigned	)
Attorney Ref:	1171/42506/156-PCT-US	)

## **INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant submits the present Information Disclosure Statement and Form PTO/SB/08A/B.

This Information Disclosure Statement is being filed concurrently with the national stage filing of PCT/NZ2003/000206 on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

The references cited in this Information Disclosure Statement were either cited in the patent application and/or the Search Report completed on October 30, 2003, copy enclosed.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.



Should the Examiner believe a fee is required, the United States Patent and Trademark

Office is hereby authorized and requested to charge the fee to the deposit account of the

undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: March 11, 2005

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Approv use through 07/31/2006. OMB 0651-0031

Complete if Known

Not Yet Assigned

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Application Number

Substitute for form 1449/PTO

Sheet

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SCLOSURE	Filing Date	March 11, 2005	
	First Named Inventor	Lewis George Gradon	
APPLICANT	Art Unit	Not Yet Assigned	
necessary)	Examiner Name	Not Yet Assigned	
2	Attorney Docket Number	1171/42506/156	

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (f known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		<sup>US-</sup> 6422238	07/23/2002	Lithgow	
		<sup>US-</sup> 6374826	04/23/2002	Gunaratnam et al.	
		<sup>US-</sup> 5441046	08/15/1995	Starr et al.	
		<sup>US-</sup> 6615834	09/09/2003	Gradon et al.	
		<sup>US-</sup> 6789541	09/14/2004	Olsen et al.	
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	FOREI	GN PATENT DOCU	IMENTS		
Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
	Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T⁵
	EP0336834	10/11/1989	Claude Jacques		
	FR2676652	11/27/1992	Adrien Gallet		
 	WO 02/47749	06/20/2002	Resmed Ltd.		
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Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

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Substitute for form 1449/PTO		Complete if Known			
		Application Number	Not Yet Assigned		
INF	ORMATION	DIS	CLOSURE	Filing Date	March 11, 2005
STATEMENT BY APPLICANT		First Named Inventor	Lewis George Gradon		
(Use as many sheets as necessary)				Art Unit	Not Yet Assigned
(Use as many sneets as necessary)				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	1171/42506/156

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>		
		United States Patent Application Pub. No. 2002/0078953; Published on June 27, 2002; Inventor: Fecteau et al.			
		United States Patent Application Pub. No. 2002/0047749; Published on April 25, 2002; Inventor: Sugawara			
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